



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*86 Chambers Street
New York, New York 10007*

May 5, 2025

By ECF

The Honorable Colleen McMahon
United States District Judge
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street
New York, NY 10007-1312

Re: *The New York Times Company v. U.S. Department of Defense*,
24 Civ. 6337 (CM)

Dear Judge McMahon:

This Office represents the United States Department of Defense (“DoD”), defendant in this action brought pursuant to the Freedom of Information Act, 5 U.S.C. § 552 (“FOIA”). This case concerns FOIA requests submitted by Plaintiff to three DoD components, the U.S. Central Command (“CENTCOM”), the U.S. Army Special Operations Command, and the U.S. Department of the Army (“Department of Army”) (the “FOIA Requests”). We write jointly with Plaintiff’s counsel to provide the Court with a status update.

Since the parties’ last joint status report on February 3, 2025, *see* Dkt No. 14, CENTCOM made its second release of non-exempt portions of responsive records on February 7, 2025. As previously reported to the Court, CENTCOM referred nine pages of potentially responsive records to another component for consultation. The component’s processing of those records has been significantly delayed by increased workloads resulting from an unusually high volume of FOIA requests and insufficient staffing. CENTCOM has continued to make inquiries concerning this referral and, based on information received from the component, anticipates that certain non-exempt portions of those records may be released. In light of the continuing processing delays at the component, CENTCOM anticipates releasing non-exempt portions of the referred records within 90 days.

After receiving a follow-up inquiry and further information from Plaintiff, the Department of the Army has searched for and located additional records responsive to one of the FOIA Requests, and will process and release non-exempt portions of those records by June 2, 2025.

The parties thank the Court for its consideration of this joint status report.

Hon. Colleen McMahon
May 5, 2025

Page 2 of 2

Respectfully,

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